



Lambda Letters Project

Vol. 4, No. 11 November, 1996 www.humboldt1.com/~mamurphy/lambdaletters LambdaLP@aol.com (916) 965-6851

1996—A Year to Be Remembered

Lavender Library, Archives
and Cultural Exchange
Sacramento, CA

This has been a year of momentous events for Lambda Letters and for the communities which we serve.

This was the year in which the Supreme Court overturned Colorado's Amendment 2 (which would have eliminated civil rights protections for gays) and let stand a lower court decision upholding the military's "Don't Ask, Don't Tell" policy. It was also the year in which Congress passed, and the president signed, a bill to allow states to ban the recognition of same-sex marriages. Meanwhile the U.S. Senate came within one vote of passing legislation to ban sexual orientation-based job discrimination. The president endorsed this bill and lobbied hard for its passage in the Senate.

This has also been the year in which religious political extremists have fought hard to ban the recognition of same-sex marriages in state legislatures across the country. They succeeded in eighteen states (see page 8) but failed in California. Lambda Letters—and you—played a significant role in the defeat of three California bills to ban recognition of same-sex marriage by delivering over 7,000 letters, telegrams, and phone calls to the legislature in opposition to the bills. We can all be very proud that we stopped the ban in California. However,

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No Letters in December

In December we give all our volunteers a well earned rest. As a result, you will receive no mailing from us next month. Please know that we deeply appreciate the wonderful support that we have received from the community throughout the year. We will write to you again in January.

Antidiscrimination Enforcement Criticized

In 1992 the California Legislature enacted A.B. 2601, which amends the California Labor Code to ban employment discrimination based on the person's actual or perceived sexual orientation. Actually, in 1979 the State Supreme Court, in a discrimination case brought against Pacific Telephone Company, ruled that such discrimination violates the Labor Code's prohibition of employment discrimination on the basis of one's political beliefs. At that time the Labor Code made no mention of sexual orientation. However, the court said that being openly gay in the climate of our society is a protected form of political

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Lambda Letters Progress Report

Letters Collected

September, 1996	3,844 letters
In all of 1996	43,754 letters

Dollars Spent

September, 1996	\$2,485
In all of 1996	\$16,305

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

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Lambda Letters Project

Statement of Purpose

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

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20/20 Shows Psychiatric Mistreatment of Youth

Please write to Victor Newfeld, producer of the Barbara Walters TV show 20/20, and thank him for the very sensitive and compassionate show on the enforced psychiatric mistreatment of lesbian, gay, bisexual, and transgendered youth. Please particularly commend Barbara Walters for her insightful and supportive treatment of the issue.

The segment of 20/20, which aired on September 27th, featured Lyn Duff, a young woman who as a teenager was forcibly placed into Rivendale, a private hospital in Utah, in an attempt to "cure" her homosexuality. The show examined the ways in which such hospitals psychologically torment and emotionally shatter young gays like Duff. It also put a very human face on the issue of lesbian and gay street youth. Duff escaped from the hospital and spent several years as a homeless youth on the streets of San Francisco. She is now a successful freelance writer for a number of newspapers. Homeless life on the streets is the fate of many lesbian, gay, bisexual, or transgendered youth who are attacked or shunned by their parents because of their sexual orientation.

The show also featured an interview with Phyllis Burke, author of *Gender Shock*, which reveals the systematic ways in which gender identity (and sexual identity) is enforced and regulated by some in the medical and psychiatric community.

Near the end of the show Barbara Walters was asked how she would feel if she had a lesbian daughter. She answered, "I'd say, 'You're my daughter and I love you,' because I do." Walters added, "Most experts do feel homosexuality is a condition you are born with and it is rarely reversible, and certainly not in a mental institution."

We need to support good programming like this. Please do write to the producer of 20/20, thanking them for this good program.

Drug Connection from CIA to Contras?

For the better part of a decade, a San Francisco Bay Area drug ring sold tons of cocaine to the Crips and the Bloods street gangs of Los Angeles and funneled millions of dollars in drug profits to a Latin American guerrilla army run by the Central Intelligence Agency.

—*San Jose Mercury News*

The crack epidemic in Los Angeles followed no blueprint or master plan. It was not orchestrated by the Contras or the CIA or any single drug ring. There is no evidence that any significant drug profits from the Nicaraguan drug ring were pumped back to the Contras—less than \$50,000 went to the rebel cause.

—*Los Angeles Times*

What is a person to believe? Investigative reporters at the *San Jose Mercury News* believe that the CIA, on behalf of the Nicaraguan Contra rebels, sponsored the large-scale introduction of crack cocaine into largely black South Central Los Angeles and other cities across the nation. Reporters at the *Los Angeles Times* conclude that operatives of the CIA may have sold crack to finance the Contras. However, they believe that the emergence of crack cocaine predated the efforts of these operatives and at most they funneled less than \$50,000 to the Contras. However, if either set of allegations is true, the CIA has been involved in inexcusable activities. It is essential that the facts in the matter be fully revealed and that steps be taken to assure that it never happens again.

At the request of some in Congress, Inspector General Michael R. Bromwich of the U.S. Department of Justice has opened an investigation into the matter. However, that amounts to the federal police system

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Nike Exploiting, Not Empowering

A few weeks ago, the CBS television show *48 Hours* aired a special on manufacturing plants owned by Nike, Inc. in Vietnam. The report exposed discriminatory and substandard labor practices currently being practiced in Nike plants towards its largely female workforce. These practices included not allowing women to leave their work area to use the restroom, supervisors striking the women for not meeting their quotas, and paying wages below subsistence level. In response to this show, the National Organization for Women's Action Center has sent out an Action Alert to its members urging them to write to Philip Knight, CEO and Chairman of Nike. This month's letter supports that effort.

Sweatshops affect women and children in massive numbers around the world. Eighty percent of the workers in garment and shoe factories are women and young girls making below-poverty-level wages. Factory owners apparently justify paying women low wages because in most of the countries where production occurs women are still seen as second-class citizens. Many of these women are trying to support a family on their wages, and factories are not paying enough for even one woman to subsist on her own.

What makes these activities especially offensive is the fact that Nike has been targeting women consumers through an aggressive ad campaign focusing on the "empowerment of women." Let's bring some attention to this problem. Please sign your letter directed to Philip Knight, urging him to take immediate action to improve conditions for these women working in Nike's Vietnamese plants.

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Reporting of HIV + Individuals Opposed

The California Council of Local Health Officers (CCLHO) Board of Directors has recently adopted the position that each county should have a disease control plan filed in the State Office of AIDS by June 30, 1997. In doing so, the CCLHO is calling for counties to adopt some form of reporting mechanism, effectively allowing counties either to opt for names reporting or reporting by "unique identifiers," in which each individual is given a code number. In other words, they want to eliminate anonymous HIV reporting altogether.

Some studies show that names reporting can provide a disincentive to HIV testing and care. After mandatory names reporting was instituted in South Carolina, demand for HIV testing at an alternative site decreased dramatically. The identification of people with HIV-positive test results plummeted by 43 percent and the attendance at the test site by men reporting a history of sexual contact with other men—one of the highest risk groups—decreased by 51 percent. Conversely, when Oregon made anonymous testing available in 1986, overall testing increased by 50 percent during the 3½-month period after anonymous testing was established, as compared to the same time period before the change. This increase was most dramatic for men reporting histories of sexual contact with men—125 percent.

Another issue raised by mandatory names reporting is that it may cause some individuals who can afford it to use home testing. Individuals using home testing would not have access to appropriate counseling and referral services that are currently available through anonymous testing locations.

Government policies should encourage individuals to voluntarily seek testing and treatment, not increase their fears and discourage them from doing so. Please sign the enclosed letter to Thomas J. Prendergrast Jr., chair of the CCLHO's Communicable Disease Committee, urging them to reconsider their mandate for the elimination of anonymous HIV reporting.

CIA and Cocaine?

Continued from page 3

investigating itself. A lack of full candor by some local police forces, in investigating their own, has necessitated the formation of citizen review boards to study alleged police misconduct. For similar reasons, in the case of the drugs for Contras issue, it may be necessary for an outside agency to investigate the matter. A congressional investigation could fill that need.

Here is some of the background information that is available at this time. This explanation is drawn from accounts in the *San Jose Mercury News* and the *Los Angeles Times*. Further investigation by competent authorities may require a revision of the following account.

Both the *Los Angeles Times* and the *San Jose Mercury News* agree that there was a Nicaraguan drug ring that sought to sell drugs in South Central Los Angeles to raise funds for the Contras. They also agree that Oscar Danillo Bandon was the drug ring's Los Angeles "point man." Bandon is an exile from Nicaragua. He was a member of a wealthy Nicaraguan family. In Nicaragua he had a low-level government position in the government of the U.S.-backed Nicaraguan dictator, Anastasio Somoza. Bandon fled to Los Angeles from Nicaragua shortly before the collapse of the Somoza government. He is now a highly paid and greatly trusted operative of the Drug Enforcement Administration (DEA). Last march Mr. Bandon was the star witness at a drug trial in San Diego. At that trial he testified that he had, for a number of years, sold cocaine to the street gangs of Los Angeles.

Oscar Bandon has been prosecuted for some of his drug activities and his probation hearing report states that Bandon decided to raise funds to fight the Sandanista government, which replaced the Somoza regime. When the cocktail parties and rallies that he and other partisans hosted failed to raise significant funds, "he became committed to raising money for

humanitarian and political reasons via illegal activity (cocaine trafficking for profit)." Soon after that he was introduced to Col. Enrique Bermudez, Somoza's military liaison to the American military, and hired by the CIA in 1982 to pull together the remnants of Somoza's vanquished army. Bandon reports that soon after that meeting associates of Bermudez began training him in the cocaine trade. Bandon further reports that he sold cocaine for many years in South Central Los Angeles through local street sellers of the drug.

There are many more details to the story, and much of the information is incomplete or unsubstantiated. However, there is a smoking gun and the CIA may be the one holding that gun. This situation requires investigation by authorities from outside the U.S. justice system. Therefore, we urge you to write to the Congressman on the enclosed sample letter. Ask him or her to assure that Congress investigates this situation thoroughly.



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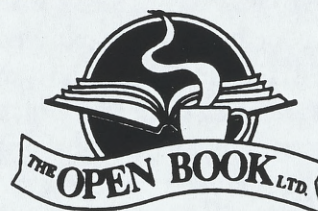
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— Francis Bacon (1561-1626)

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Gay Rights Law

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expression. A.B. 2601 merely clarified matters amending the Labor Code to include a specific prohibition of employment discrimination based on sexual orientation.

The Division of Labor Standards Enforcement (DLSE), of the Department of Industrial Relations, is responsible for enforcing the Labor Code, including the prohibition of sexual orientation-based discrimination. In June the *Bay Area Reporter (BAR)*, a San Francisco-based gay newspaper, published an article that was highly critical of the enforcement efforts of the DLSE.

In summary, the article indicated that DLSE has received 464 complaints of sexual orientation-based employment discrimination ever since A.B. 2601 became effective at the beginning of 1993. Of them, 102 are still unresolved and 362 have been resolved. Only 9 percent of the resolved complaints were resolved in favor of the complainant. The article suggested that this small number demonstrated bias on the part of those required to enforce the law. It went on to note that the remaining 91 percent were resolved because the complaints were dismissed (40 percent), abandoned (27 percent), or withdrawn (24 percent). The article implied that this indicated an environment at DLSE that is unfriendly to discrimination complainants.

Lambda Letters contacted officials at the DLSE headquarters in San Francisco and got their report of the disposition of the discrimination complaints they had received since 1993. These figures indicated that only 7.3 percent of the cases were resolved in favor of the complainant. There were also some slight differences between their report and that of the *BAR* article on the subject of how many cases were dismissed, abandoned, or withdrawn. The 7.3 percent favorable ruling seems pretty small and some might say it suggests bias at DLSE.

We decided to match the record of DLSE with that of the Department of Fair Employment and Housing (DFEH). DFEH enforces laws that prohibit employment and housing discrimination based on sex, race, color, ancestry, religion, national origin, disability, medical condition, age, and marital status. In FY 1995-96 they accepted 9,172 complaints for investigation. Of those cases, 349 (3.8 percent) were resolved in favor of the complainant. Thus they resolved in favor of the complainant at barely half the rate shown by the Division of Labor Standards Enforcement.

What is the lesson to be learned from this? Probably the DLSE is doing a reasonably good job of judging the discrimination complaints brought to it. However, it receives an average of just 150 complaints a year. That is probably far below the actual number of cases of sexual orientation-based employment discrimination incidents that occur each year in California.

We also need to do a better job of letting members of the community know what remedies they have under A.B. 2601. If you have experienced this form of discrimination, or if you know someone who has, a complaint may be lodged with the Division of Labor Standards Enforcement. You will see them listed in the State Government Section of the telephone white pages. Look for the DLSE under the listing for the Department of Industrial Relations. We also list them in the sidebar below. (Note that the asterisked cities share the same main number in San Francisco.)

Division of Labor Standards Enforcement District Offices

Office	Phone
Bakersfield	805-395-2710
Eureka*	415-557-7878
Fresno	209-248-8400
Long Beach	310-590-5044
Los Angeles	213-897-4037
Marysville	916-741-4061
Oakland*	415-557-7878
Redding*	415-537-7878
Sacramento	916-263-2840
Salinas*	415-557-7878
San Bernardino	909-383-4333
San Diego	619-637-5500
San Francisco*	415-557-7878
San Jose*	415-557-7878
Santa Ana	714-558-4111
Santa Barbara	805-963-1438
Santa Rosa	707-576-2363
Stockton	209-948-7770
Van Nuys	818-901-5312
Ventura	805-654-4538

Supreme Court Rejects Gays-in-Military Appeal

In mid-October the U.S. Supreme Court refused to hear an appeal of a decision by the U.S. Court of Appeals for the Fourth District in Richmond, VA. That court had ruled that the "Don't Ask, Don't Tell" policy on gays in the military is constitutional.

This was the first challenge of the policy to reach the high court. The Supreme Court's action, without any comment or dissent, has limited impact and does not create a nationwide legal precedent. As a result, other challenges to the policy, now pending in lower courts, can continue to move forward. It is conceivable that the Supreme Court may yet choose to hear an appeal on one of these other cases, and it could still overturn the policy.

The Court's action left standing the decision of an appeals court refusing to order the reinstatement of Navy Pilot Lt. Paul G. Thomasson. In March, 1994, the day after the Navy put the new regulations into effect, Thomasson sent letters announcing his homosexuality to four Navy admirals for whom he had worked. Within weeks the Navy convened a board of inquiry and eventually discharged him from the service with an honorable discharge. The Navy pilot was highly decorated and his retention in the service was supported by his commanding officer.

The Clinton administration put the Don't Ask, Don't Tell policy into effect after Congress passed a 1993 law that required it. The policy compels the

ouster of all military service personnel who publicly admit their homosexual or bisexual orientation, but prohibits the military from actively seeking information as to the sexual orientation of military personnel.

The Supreme Court is not required to hear appeals of all cases sent to it from lower courts. It generally accepts cases that raise major constitutional issues not previously settled by the courts or where major issues have been presented that might require changes in previously established legal precedents. Cases now before the District Court in New York and the U.S. Court of Appeals for the Ninth Circuit in San Francisco present broader challenges to the Don't Ask, Don't Tell policy than did the Thomasson case. These cases challenge the parts of the policy that require dismissal of a serviceperson for engaging in, or attempting to engage in, "homosexual acts." The Thomasson case was limited to the adverse effects resulting from his statement that he is homosexual. One of these other cases could yet receive a full hearing and decision from the Supreme Court.

In the meantime, the Clinton administration's enforcement of the current policy raises many questions. In FY 1995 the military services discharged 722 gay service members, the highest level in four years. There have also been numerous reports of violations of the Don't Ask part of the policy as military brass actively seek information on the sexual orientation of military service personnel. This is a issue that clearly needs more work.

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THE WEDDONS

A Year to Be Remembered

Continued from page 1

it is certain that the religious political extremists will try again in 1997.

Here are the states that banned same-sex marriage:

Alabama*	Missouri
Alaska	Missouri
Arizona	North Carolina
Delaware	Oklahoma
Georgia	Pennsylvania
Idaho	South Carolina
Illinois	South Dakota
Kansas	Tennessee
Michigan	Utah

(*Note that the ban in Alabama was enacted by the governor's executive order, not specific legislation.)

In 1996 there has been increasing evidence that AIDS can be treated as a manageable chronic disease and that it need not be a sure ticket to death as has been thought in the past. In fact, there have been reports that some new medications may eliminate all HIV in the body of an infected person. More research will need to be done before we are sure that these medications really do eliminate the virus.

This has also been a turbulent year for people of color. Under heavy pressure from the governor, California's University of California Regents voted to eliminate the university's Affirmative Action program. Proposition 209, on this year's ballot, would extend the ban on Affirmative Action to all state and local government agencies in California. That vote will be held after the writing of this article but before you receive this newsletter. Stay tuned for the results.

In 1996 Lambda Letters collected more letters than in any year of its history. By September 30th we had collected almost 40,000 letters and we expect to collect nearly 48,000 letters by the end of the year. If so, we will have collected close to 175,000 letters since our founding in 1988.

It is clear that we are growing large enough to have a measurable impact on the state legislature. However, we need to grow still larger. For example, the Human Rights Campaign (HRC) works on our issues on the national level. They frequently deliver 50,000 letters and telegrams on a single bill in Congress. That's the kind of input we need to generate to really protect our community's interests in the halls of government.

We have made a marvelous beginning but there is much left to do. Thank you so much for your support in 1996. Now let's see what we can do to grow still stronger and more effective in the coming year.

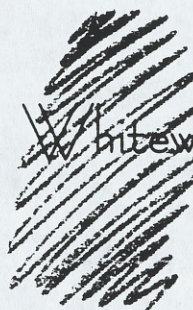
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Lavender Valentines

Recently the Hedrik Lab, at the University of California at Davis, did a survey of the lesbian, gay, and bisexual communities in the Sacramento area. They did in-depth interviews of 450 individuals in the community. They report that about 60 percent of those interviewed were in relationships. (Interestingly enough, in 1994 the Census Bureau reported that 60 percent of the general population were married!) The Census Bureau reported that the average length of marriage in the general population is about seven years. The Hedrik Lab report indicated the average gay relationship is four to five years. That slightly lower figure could well be explained by the pressures society puts on us not to form relationships.

The Hedrik Lab did say that 12 percent of the gays they interviewed had been together 10 or more years. Boyce Hinman, administrator of the Project, and his partner, Larry, feel proud of the fact that they are in that group. In fact, they will be celebrating their 26th anniversary on November 15th.

Which brings us to the point of this article. Boyce proposes that we celebrate the anniversaries of our members by printing the first names of any couples celebrating their anniversary that month. The table would also indicate the number of years the happy couple have been together. To make it work, we need you to send us news of when you are celebrating your anniversary. Be sure to let us know *before* the month of your anniversary so there is time to print it. We have tentatively called this item "Lavender Valentines," but let us know if you have a better title. Let's make this a way we can celebrate our own. For too long the straight world has told us that we are incapable of forming healthy happy and stable relationships. This monthly feature should shatter that myth.

Lavender Valentines

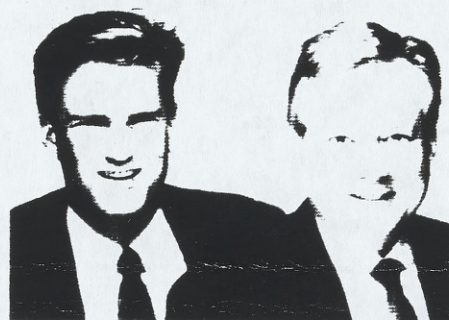
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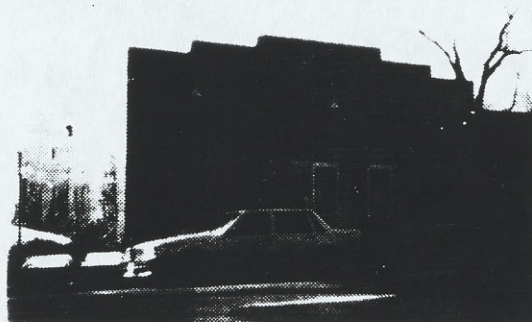
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Can You Answer These Questions?



1. Who was the first lesbian ordained by a major religious denomination?
2. What was the first state to enact a statewide gay rights law?
3. Who was the first to introduce a bill in Congress to ban discrimination based on sexual orientation?
4. Which nation was the first to legalize gay and lesbian marriages?
5. In what year was the first International Gay Games held?
6. In what year did the Stonewall riots occur?

You can find the answer to these and many other fascinating questions in the Lambda Letters 1997 Calendar of Lesbian and Gay History. Please support the work of the Lambda Letters Project by ordering your calendar today. At just \$7.95 per copy they are a steal and they make ideal holiday gifts for all your friends.

Order Form

Please send me _____ calendars at \$_____ per calendar.

Total Cost = \$_____. (check or money order enclosed)

Name - _____

Address - _____

City & ZIP - _____

Phone Number - (____) _____